

CIVIL DOCKET
UNITED STATES DISTRICT COURT

==BARROW== COOK
 Jury demand date:

72-C-19

D. C. Form No. 106A Rev.

TITLE OF CASE	ATTORNEYS
<p>LARKIN BAILEY ROBERT J. CARAWAY, Plaintiff</p> <p>vs</p> <p>TIMBERLAKE, INC., an Oklahoma Corporation; HEIDLER CORPORATIN, a Delaware Corporation; JAMES W. HEIDLER; ATLAS LIFE INSURANCE COMPANY, an Oklahoma Corporation; WARREN L. ALBERTY, MARGUERETTE J. ALBERTY, CHARLES ANDREW VANCE and PHYLLIS N. VANCE</p> <p>Leslie McCown, Chester F. and Phyllis Lenik, Intervenorors</p> <p>David Holden-Intervenorors</p> <p>TRUSTEES: Pat Malloy, Atty 583-0301 (Bob Langley) Thurston Natl Bldg., Tulsa</p> <p>Allen Mayo 2m 502 Petrol Bldg 74103</p> <p>Robt Franden, 622-3642 5200 So. Yale, Tulsa 32-653-2</p> <p>Frederic Dorwart (for Intervenorors) Holliman, Langholz, Runnels & Dorwart 2700 Fourth Natl. Bldg., 108-3rd Tulsa, Ok. 74119 (584-1472) 1472</p> <p>R. Michael Carter (4th Nat. 584-1472)</p> <p>James M. Sturdivant (att. for trustee) Fourth Natl. Bldg., Tulsa 74119</p>	<p>For plaintiff:</p> <p>Sam P. Daniel Jr. & G. Michael Lewis DOERNER, STUART, SAUNDERS, DANIEL & LANGEMKAMP 1200 Atlas Life Bldg. Tulsa, Oklahoma 74103 (585-5541)</p> <p>Ungerman, Ungerman & Grabel Wright Bldg. Tulsa 74103 584-6101</p> <p>Robert S. Rizley (Heidler Corp + James 1100 Philtower Bldg. Tulsa 74103</p> <p>For Defendant:</p> <p>Jay Gregg (Garrett & Berl) Jms. Sturdivant, (Heidler & Berry) 4th Nat'l Bldg, Tulsa, Ok. (Robt) Franden, (Timberlake, Inc.)</p> <p>XXXXXXXXXXXX J. G. Follens 582-7404 408 McFarlin Bldg 324 Main Mall 584-6014 Tulsa, Oklahoma (For Vance) 74103</p> <p>Don Pearson (for Alberty) Pearson, Caldwell & Green 830 N. Main St., P.O. Box 1373 Muskogee, Okla. 74401</p> <p>Roger R. Scott (for Timberlake, Inc.) Fourth National Bldg., withdrawn Tulsa, Okla. 74119 585-1300</p> <p>Dickson Saunders, Doerner, Stuart, Saunders, Daniel & 1200 Atlas Life Bg. Langenkamp Tulsa, Ok. 74103 (for Atlas Life)</p>

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 2-1-72	Clerk	1-24-72	Daniel	15 00	
		1-27-72	CD 34		15.00
J.S. 6 mailed 5-1-76	Marshal				
Basis of Action: Judgment on Promissory Notes	Docket fee				
	Witness fees				
Action arose at:	Depositions				

DATE	PROCEEDINGS	Date Order or Judgment Noted
1-24-72	Complaint filed. Summons issued. r	
1-31-72	Case set for hearing on appt. of Receiver on Tues. Feb.1, 1972 at 10:00am. (AEB-J)	
1-31-72	U.S. Marshals Service, Return on Summons, filed. Served Marguerette J. Alberty in Muskogee, Okla., on 1-27-72 with fees of \$3.00. v	
1-31-72	Return on U.S. Marshals Service, Summons, filed. Served Warren L. Alberty in Muskogee, Okla. on 1-27-72 with fees of \$3.00. v	
1-31-72	Return on U.S. Marshals Service, Summons, filed. Served James W. Heidler in Tulsa, Okla., on 1-26-72 with fees of \$3.00. v	
1-31-72	Return on U.S. Marshals Service, Summons, filed. Served Heidler Corp., by serving James Heidler in Tulsa, Okla., on 1-26-72, with fees of \$7.56. v	
1-31-72	Return on U.S. Marshals Service, Summons, filed. Served Timberlake, Inc., by serving Gerald Schuman in Tulsa, Okla., on 1-26-72 with fees of \$3.00. v	
2-8-72	Answer and crosscomplaint of defendants Charles Andrew Vance and Phyllis N. Vance, filed. ds	
2-1-72	Case called for Hearing on Appointment of Receiver, at 10:00 A.M., 2-1-72. Hearing passed until 3:30 P.M., 2-1-72. Court began at 3:50 P.M. in Judge Barrow's Chambers. Parties present and represented. Robert A. Franden is appointed Conservator and Bond is Set in the amount of \$5,000.00. Robert A. Franden is given Five (5) Days to Qualify by putting up a \$5,000.00 Bond. Hearing on Plaintiff's Application for Appointment of Receiver is passed until 2-15-72 at 10:00 A.M. It is further ordered that Deft.s, Heidler Corp. and Timberlake, Inc., and their officers, directors, employees, agents and all persons acting by and through or under them should be restrained and enjoined from soliciting sales or Making sales of any lots in or any portion of the property known as "Timberlake". Court recesses at 4:10 P.M. The following pleadings were filed in Open Court: Restraining Order and Order Appointing Conservator, filed. (AEB-J)v Notice of Hearing on Application for Receiver, filed. v Bond of Conservator, filed. Order Approving Conservator's Bond, filed. (AEB-J)v	
2-11-72	Modified Restraining Order, filed. (AEB-J) rm (copies mailed)	
2-11-72	Notice of Hearing on Application for Receiver, filed. Hearing set for 10 a.m., 2/15/72. rm (parties notified by defs. Vance atty.)	
2-14-72	Answer and complaint of defs. Alberty, filed. rm	
2-15-72	Stipulation re continuance of hearing on appt. of Receiver and Restraining order, filed. g	
2-15-72	Order that hearing on appt. of Receiver be continued to 3-7-72 at 10:00 A.M., and that Restraining Order and Order Appointing Conservator, as modified remain in full force until 3-7-72 at 10:00 A.M., filed. (AEB-Judge)g	
2-15-72	Case called for hearing. Parties request continuation and court grants continuation of hearing on appt. of receiver until Tues. 3-7-72 at 10:00 A.M. (AEB-J)h	
2-25-72	Answer and cross-complaint of Atlas Life Ins. Company, filed. g	
3-7-72	Order filed, that hearing on appointment of receiver be continued to 3-15-72, and that the restraining order and order appointing Conservator, as modified, shall remain in force until 3-15-72 at 10:00 A.M. (AEB-J) ds <i>refinanced</i>	
3-7-72	Hearing held on appt. of receiver, and passed to 3-15-72 at 10:00 A.M. at which time the parties are to report to the Court on status of re-financing negotiations. If refinancing has not been effected, the Court	

DATE	PROCEEDINGS	Date Order or Judgment Noted
6-12-75	1. Claim of I. K. Mitchell - \$649.24, filed. g	
6-13-75	2. Paul B. Chambers - \$177.14, filed. lm	
6-13-75	3. L. D. and Ruby Strawn - \$833.17, filed. lm	
6-13-75	4. W. W. Saunders - \$782.00, filed. lm	
6-13-75	5. LeRoy K. Hall, \$1,518.88, filed. lm	
6-13-75	6. Kenneth H. Bauer - \$2,454.35, filed. lm	
6-13-75	7. Pauline D. Uzzell, et al - \$295.00, filed. lm	
6-16-75	8. Clyde & Callie Stinson - \$3000.00, filed. sw	
6-16-75	9. Dayne W. Wolf - \$1072.50 - filed. sw	
6-16-75	10. Gerald & Betty Robb - \$527.02 - filed. sw	
6-16-75	11. Gordon E. & Aileene Haynes - \$576.88 - filed. sw	
6-16-75	12. Willie Bledsoe - \$969.48 - filed. sw	
6-16-75	13. Verble S. Caviness, Joy M. Caviness - \$548.04 - filed. sw	
6-16-75	14. Lawrence & Kathy J. Pense - \$323.45; filed. sw.	
6-16-75	15. William J. Gibbons, Jr. - \$1660.39 - filed sw.	
6-16-75	16. E. E. Gregory - \$1052.42 - filed. sw.	
6-16-75	17. Joe R. McArthur - \$1259.29 - filed. sw.	
6-16-75	18. Harvey L. Beeson - \$823.64 - filed. sw.	
6-16-75	19. James Wilkinson - \$566.98 - filed. sw	
6-16-75	20. John Hoos - \$428.00 - filed. sw.	
6-16-75	21. J. Ray Stough - \$721.88 - filed. sw	
6-16-75	22. John D. Thompson - \$200.00 - filed sw	
6-16-75	23. George E. Skye - \$410.06 - filed. sw	
6-16-75	24. Robert E. Rueb & Dorothy B. Rueb - filed \$563.72. mm	
6-17-75	25. Mary C. Chu Culate - filed \$1162.50. sw	
6-17-75	26. George T. Phannhuch - filed \$695.00 sw	
6-17-75	27. R. G. Solder - filed \$409.92 sw	
6-17-75	28. Glenn A. Nofinger, filed \$1018.62. sw	
6-17-75	29. J. Leorn Garrison (Gladson), filed \$196.04. sw	
6-17-75	30. Jewel M. Ramsey, Graye E. Ramsey, \$925.75, filed. sw	
6-17-75	31. Leonard H. Johnson, filed, \$460.36. sw	
6-17-75	32. W. H. Dlatt, filed, \$665.90. sw	
6-17-75	33. Janie Lee Cowan & J. D. Cowan, filed, \$206.30. sw	
6-17-75	34. Lloyd & Alma Whiteley, filed, \$448.96. sw	
6-17-75	35. Joe B. Cool, filed \$423.90. sw	
6-18-75	36. B. H. & Edna McDonald, filed \$740.86, sw.	
6-18-75	37. Emeline O. Fleig surviving joint tenant with OT. Fleig, filed \$1127.44. sw	
6-18-75	38. Melba E. and Luel N. Elenburg, filed \$321.54. sw	
6-18-75	39. Carl E. and Arline O. Larson, filed \$1250.00 approx. sw	
6-18-75	40. Dean L. DeVore, filed \$486.38. sw	
6-18-75	41. Mary D. and William G. Schmidt filed, \$517.14. sw	
6-18-75	42. Frank B. and Gurlee Bowen, filed, \$3635.00. sw	
6-18-75	43. William Joseph Mobley, filed, \$1834.66. sw	
6-19-75	44. Harold E. and Dorothy M. Billings, \$682.68. lm	
6-19-75	45. Neal I. Vest, \$609.90. lm	
6-19-75	46. Elizabeth Ann & E. Terril Corley, filed \$500.00. sw	
6-20-75	47. Glenn E. White - \$1,507.35, filed. lm	
6-20-75	48. Jerry E. Dill - \$448.08, filed. lm	
6-20-75	49. Paul Sherman - \$596.90, filed. lm	
6-20-75	50. Cliff D. and Margaret E. Elliston - \$4,195.00, filed. lm	
6-23-75	51. Ruth P. & C.V. Houston - \$611.30, filed. sw	
6-23-75	52. Virgil E. and Ruby B. Morse - \$377.84, filed. sw	
6-23-75	53. Phyllis & Onie Finley, Jr., \$3705.64, filed. sw	

CARAWAY VS TIMBERLAKE

DATE	PROCEEDINGS	Date Order or Judgment Noted
6-23-75	54. William K. & Elizabeth J. Pollard, \$395.00, filed. sw	
6-23-75	55. William R. & Donna A. Pollard, \$1132.79, filed. sw	
6-23-75	56. Jennie Biles, \$3312.61, filed. sw	
6-23-75	57. Leslie McCown, \$689.75, filed. sw	
6-23-75	58. Earl M. & Ruth M. Landreth, \$2795.00, filed. sw	
6-23-75	59. Larry J. and Laurel G. McVey, \$164.76, filed. sw	
6-23-75	60. Margaret Jane Kaylon, \$980.00, filed. sw	
6-23-75	61. Warren G. Peters, \$2995.00, filed. sw	
6-23-75	62. C. C. French and Mrs. C. C. French, \$1767.86, filed. sw	
6-24-75	63. Merrill L. & Mildred L. Stott, \$791.84, filed. sw	
6-24-75	64. Marion L. Tinley, \$144.36, filed. sw	
6-24-75	65. John D. Brantly, \$869.04, filed. sw	
6-24-75	66. Wayne A. & Patricia A. Fling, \$453.15, filed. sw	
6-24-75	67. M. Forrest Forvry, \$778.30, filed. sw	
6-25-75	68. William H. & Pauline M. Pitts, \$3,495.00, filed. lm	
6-25-75	69. Tom Fixmer - \$642.50, filed. lm	
6-25-75	70. George F. Hall - \$552.80, filed. lm	
6-25-75	71. Mrs. Maxine Atchley - \$550.00, filed. lm	
6-25-75	72. Danny N. & Carol B. Burgess - \$576.60, filed. lm	
6-25-75	73. George N. Hartley - \$322.26, filed. lm	
6-26-75	74. Duane A. Bland - \$694.24, filed. lm	
6-26-75	75. Nance C. Hammond - \$901.16, filed. lm	
6-26-75	76. Herbert H and Audrey Williams - \$1,015.50, filed. lm	
6-26-75	77. C. E. Lausten & Dorothy Lausten - \$811.32, filed. lm	
6-26-75	78. Robert E. Morse, \$774.62, filed. lm	
6-26-75	79. Barbara J. and John D. Frederick - \$811.32, filed. lm	
6-27-75	80. Mr. & Mrs. Zeke Chapman - \$562.65, filed. mm	
6-27-75	81. Lester L. White & Patti M. White - \$513.27, filed. mm	
6-27-75	82. James L. Lamkin, Jr. and Kiowana C. Lamkin - \$978.00, filed. mm	
6-30-75	83. Alfred Owen Fornalsrud - \$591.86, filed. mm	
6-30-75	84. Millard E. Rhodes - \$595.41, filed. mm	
6-30-75	85. Marie Rhodes - \$595.41, filed. mm	
6-30-75	86. Troy H. & Pauline L. Miller - \$1,739.00, filed. mm	
6-30-75	87. Raymond L. Coultrip - \$2,308.10, filed. mm	
7-1-75	88. L. D. Branson & Martha Ann - \$518.58, filed. mm	
7-1-75	89. Mrs. J. L. McAlister & William D. McAlister, \$816.80, filed. mm	
7-2-75	90. E. J. Daugherty - \$1,467.50, filed. mm	
7-2-75	91. W. T. Miner - \$632.00, filed. mm	
7-2-75	92. Walter Webster, Jr. & Lorene Webster - \$855.80, filed. mm	
7-2-75	93. Johnny G. Allen - \$681.56, filed. mm	
7-2-75	94. B. L. & Vivian Coplin - \$232.16, filed. mm	
7-2-75	95. Thomas E. Stewart and Dorothy L. Stewart - \$195.00, filed. mm	
7-2-75	96. William E. Green - \$2247.29, filed. sw	
7-2-75	97. Jerald E. Mann - \$864.04, filed. sw	
7-2-75	98. Clyde E. or Wanda M. Owen - \$4500.00, filed. sw	
7-3-75	99. Harold Dale Pennington - \$209.18, filed. lm	
7-3-75	100. Garth W. & Jimmie Lee Haggard - \$470.28, filed. lm	
7-7-75	101. Mable Irene Wood & Roger Dye, Jr. - \$225.00, filed. lm	
7-7-75	102. Paul Wood - \$166.40, filed. lm	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
7-7-75	103	Logan C. Minton - \$240.69, filed. 1m	
7-7-75	104	Thomas W. Brinkhigh - \$732.44, filed. 1m	
7-7-75	105	Lyle A. and Darleen Davis - \$205.20, filed. 1m	
7-7-75	106	Johnny M. and Marjorie Gates - \$1290.26, filed. 1m	
7-7-75	107	Jane Read Conwell and C. A. Conwell, Jr. - \$324.80, filed. 1m	
7-7-75	108	Robert Ray Vandeman - \$423.37, filed. 1m	
7-7-75	109	William D. and Charlene Ruble - \$395.00, filed. 1m	
7-7-75	110	Chester and Phyllis Lenik - \$1,000.34, filed. 1m	
7-8-75	111	Mrs. Jack Haggard - \$229.38, filed. 1m	
7-8-75	112	Michael J. Neal - \$1148.70, filed. 1m	
7-8-75	113	A. L. VanTuyt - \$619.50, filed. 1m	
7-8-75	114	Joe A. Grider - \$300.00, filed. 1m	
7-8-75	115	Francis W. Weaver - \$479.36, filed. 1m	
7-9-75	116	Helen S. Gray, 4730 S. Columbia Pl., Tulsa, Ok-\$830.75, filed. 1m	
7-9-75	117	James E. Haney - \$587.38, filed. 1m	
7-9-75	118	Opal Bryant - \$273.08, filed. 1m	
7-9-75	119	Sammy D. Gresham - \$579.67, filed. 1m	
7-9-75	120	Robert E. & Alice F. Fojt - \$1,280.78, filed. 1m	
7-9-75	121	Lloyd R. & Ozella Few - \$764.36, filed. 1m	
7-9-75	122	Virgil P & Juanita Hollar - \$177, filed. 1m	
7-10-75	123	Louise Trainor - \$690.00, filed. 1m	
7-10-75	124	Vol and Mary Adams - \$471.03, filed. 1m	
7-10-75	125	Willie Mae Elgin - \$1,396.40, filed. mm	
7-11-75	126	Nina J. & E. L. Hall, Jr. - \$501.24, filed. 1m	
7-11-75	127	Margaret M. Jones - \$2,118.25, filed. 1m	
7-11-75	128	Marion L. Peters - \$498.94, filed. 1m	
7-11-75	129	Alma L. Protzman - \$407.74, filed. 1m	
7-11-75	130	Leila V. Keith - \$407.00, filed. 1m	
7-11-75	131	Denny D. Burgess - \$649.24, filed. 1m	
7-11-75	132	Norma R. & Archie L. Ethriedge - \$850-54, filed. 1m	
7-11-75	133	Charles A. McCoy - \$795.00, filed. 1m	
7-14-75	134	Pete Hay & Leota Hay - \$1,359.20, filed. mm	
7-14-75	135	Coleman C. Morris - \$1,416.74, filed. mm	
7-14-75	136	Bernita Mae Willey (MRs. H. Lynn Willey) -\$563.72, filed. mm	
7-14-75	137	M. R. Jennings, Merryll G. Jennings, - \$3,042.14, filed. mm	
7-14-75	138	Hamptore L. McNally & Virginia M. McNally - \$1,371.90, filed. mm	
7-15-75	139	Postal Investment Club - \$797.28, filed. mm	
7-15-75	140	Clorence F. & Anna L. Sextor - \$239.35, filed. mm	
7-15-75	141	Gary Gilliam - \$484.78, filed. mm	
7-15-75	142	Joe Niells - \$932.44, filed. mm	
7-15-75	143	C. J. Carrrell - \$950.15, filed. mm	
7-15-75	144	Fred H. Cooper - \$900.00, filed. jj	
7-15-75	145	R. E. Whiteway - \$736.00, filed. jj	
7-15-75	146	Raymond Leo Nunneley and Virginia Raye Nunneley, \$417.45, filed. mm	
7-16-75	147	Lamar & Lornelia A. Ishee, 250.00, filed. k	
7-15-75	148	Mayme McCollough - \$2923.64, filed. g	
8-25-75	149	Mrs. Ethel O. Newburn - \$1,001.80, filed. hm	

(OVER)

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF CARAWAY		DEFENDANT TIMBERLAKE, INC.	DOCKET NO. <u>72-C-19</u> PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
1-27-76	a.	Defts. Warren L. Alberty & Marguerette J. Alberty Proof of Claim, filed. T	
1-28-76	b.	Proof of Claim of Pltf, Caraway, filed. ph	
1-28	c.	Trustee's applic. for payment of expenses (proof of claim), filed.hm	
1-30	d	Leslie McCown, Chester F. & Phyllis Lenik - \$223,694.42.t	
1-30	e	Charles Andrew Vance & Phyllis N. Vance - \$268,246.88.t	
1-30	f.	Proof of claim of Special Master, Leo F. Haas, Jr., filed. -\$4,054.78	
1-30	g.	Proof of claim of Atlas Life Ins. Company - \$92,073.33, filed. ph	
1-30	h.	Appl. of James M. Sturdivant for attys. fees, filed. ph	
1-30	i.	Appl. of Robert A. Franden Trustee in Bankruptcy, for compensation, filed. ph	
1-30	j.	Trustee, Robert A. Franden's Supplemental Appl. for payment of expenses, filed. ph	

DATE	PROCEEDINGS	Date Order or Judgment Noted
	will then set the hearing for appt of a receiver on a later date and attorneys will be notified. (AEB-J)h	
3-15-72	It is ordered that hearing on appt of receiver passed to 3-21-72 at 10:00 A.M. (AEB-J)h	
3-21-72	Continuation on hearing on appointment of Receiver. Parties present and represented. Deft. orally requests modification of restraining order with/Deft.'s atty. to prepare formal application and order within three days, to be submitted to the Court. Court grants 30 days from this date, continuance of hearing or possibly entertain dismissal. (AEB-J)v	
3-22-72	Application of Heidler Corp. and Timberlake for order modifying RO, filed. rm (copy to m)	
3-23-72	Ordered that the applicants are hereby authorized to sell and to contract to sell, lots in the Timberlake project upon specified terms, filed. (AEB-J)v <i>copies mailed</i>	
4-19-72	Ordered by the Court that the Hearing on the application for the appointment of the Receiver is to be on 4-27-72 at 10:00 a.m. (AEB-J)v <i>notice sent on 4-21-72</i>	
4-27-72	Hearing held on the Appl. for the Appt. of a Rec. Parties present. Deft.'s atty., Scott, moves Court for extension of time to close loan with First Ntl. Bnk.-Court overrules Deft.'s oral motion. Deft. is given 60 days to file Chapter 10, for reorganization. Pltf. submits stipulation is open court to the Court and Court admits the stip. In the chapter 10 proceedings, the following were appt. trustees: 1. Allen Mayo 2. Pat Malloy 3. Robert Franden. Court sets bond on Trustees in the amount of \$100,000.00 each. Atty. Scott to draw the necessary orders. Ct. appt.s atty.s for trustees, as follows: 1. Kenneth Stainer and 2. T. Austin Gavin. (AEB-J)v	
4-27-72	Stipulation, filed in open Court. v	
5-3-72	Application of the Deft.s, Charles A. Vance and Phyllis N. Vance, for Restraining Order, filed. v <i>order filed to 5/16/72</i>	
5-4-72	Report and application of conservator to expend funds, filed. hm	
5-5-72	Case set for hearing on application for restraining order at 10:00 a.m. 5-9-72. (AEB-J)hm	
5-8-72	Case set for hearing on Conservator's Proposed Order allowing distribution of Funds from Custodial Account, on May 9, 1972, at 2:00 P.M. (AEB-J)v ¹	
5-9-72	Hearing on expenditure of funds and TRO held. Parties present. Ct grants order allowing distribution of funds from custodial account, and <u>Order signed and filed in open court.</u> Court passes hearing on application for Restraining Order and directs Attys Follens and Scott to file briefs by 5-16-72 on question of Heidler being involved in Bankruptcy. (AEB-J)h (copies of order mailed.)	
5-12-72	Final report of conservator and application for discharge, filed. rm <i>Order to J</i>	
5-15-72	Brief of defts. Vance and Vance, filed. hm	
5-15-72	Order approving final report, discharging conservator, Robert A. Franden, and discharging bond; further that Robt. Franden distribute all remaining funds in custodial acct. to trustees of Timberlake, Inc. appt. by this ct. in case 72-B-384. (AEB-J)rm - copies mailed	
5-16-72	Memorandum of authorities of def. James W. Heidler, filed. rm <i>Copy to m</i>	
3-2-73	Motion of Leslie McCown and Chester F. & Phyllis Lenik, to Intervene, filed. v	
3-2-73	Brief in support of motion to intervene, filed. v	
3-2-73	Ordered by the Court that Pltf. and Deft. are granted 10 days from this date to respond to Motion to Intervene filed by McCown & the Leniks. (AEB-J)v	

DATE	Response	PROCEEDINGS	Date Order or Judgment Noted
3-8-73	Deft. xxxxx Reply to Motion to Intervene, filed. jj		
3-15-73	Intervenors' Motion for Class Action Determination, filed. v		
3-15-73	Named Intervenors' Brief in Support of Mot. for Class Action, filed. v		
3-15-73	Ordered by the Court that		
6-5-73	Motion to amend answer and cross-complaint of Charles Andrew Vance and Phyllis N. Vance filed.h		
6-5-73	Order amending paragraph 4 of cross complaint filed.(AEB-J)h-copies mailed-		
8-24-73	Order sustaining motion to intervene, filed. (AEB-J)g		
8-24-73	Complaint in intervention (attached to motion), filed. g		
8-30-73	Request for production of documents under Rule 34, to Robert J. Caraway, filed. ds		
8-30-73	Request for production of documents under Rule 34, to Charles Andrew and Phyllis Ann Vance, filed. ds		
12-17-73	Order, filed, sustaining intervenors' mot. for class action determination & class action determination. Further ordered that Intervenors submit to Court a proposed notice w/in 2 wks. (AEB-J)v <i>copies mld.</i>		
12-17-73	Notice of Pendency of Class Action, filed xxx Notice to all persons who purchase life insurance from Preferred Security Life Insurance (AEB-J) xxxxxxxx		
1-4-74	Notice of taking depositions of Larkin Bailey & Rbt. Caraway, filed. v		
1-7-74	Order approving Notice of Class Action, filed. g cpy mailed.		
1-7-74	Notice of pendency of class action, filed. hm		
1-11-74	Notice of pendency of class action approved by Court, and setting hearing at 10:00 a.m. on 2-6-74 on any question or objection concerning the adequacy of the class representatives, or their attorney. (AEB-J)hm (notices mailed counsel)		
1-23-74	Affidavit of mailing by Fred Dorwart of notice of pendency of class action, w/notice and list of purchasers, attached. rm		
1-29-74	Deposition of Larkin Bailey taken by Jimmie J. Reed, CSR, filed. v		
1-29-74	Intervening Pltfs' Mot. for S/J against Rbt. J. Caraway, filed. v		
1-29-74	Brief in support, filed. v		
1-29-74	Ordered by the Court that Def. is granted 10 days from this date to respond to Intervening Pltfs' Mot. for S/J against Rbt. J. Caraway. (AEB-J)v		
1-29-74	Deposition of Jacques Boggs taken by Jimmie J. Reed, CSR, filed xxx		
2-4-74	Certificate of mailing, filed.s		
2-5-74	Order Nunc Pro Tunc amending 1st para. of Order Sustaining Int. Mtn. for Class Action etc. filed 12-17-73, filed. (AEB-J)jj -copies mailed-		
2-6-74	Hearing held on adequacy of class action representatives and their attorney. Over no objections being offered to class representatives or their attorney, it is ordered that intervenors and their attorney are considered adequate representatives. Mr. Carter given three days to prepare order. (AEB-J)e		
2-12-74	Application of Def. Robert J. Caraway for ext. of Time within which to respond to intervening plaintiffs' motion for summary judgment against Robert J. Caraway, filed.s		

DATE	PROCEEDINGS	Date Order or Judgment Noted
2-12-74	Order granting Deft. Robert J. Caraway Additional Time Within Which to Respond to Intervening Plaintiff's Motion for Summary Judgment Against Robert J. Caraway, filed. (AEB-J)e <i>Copies Mailed.</i>	
2-13-74	Order Determining Adequacy of Class Representatives and Their Attorney filed. (AEB-J)e <i>Copies Mailed.</i>	
3-4-74	APPLICATION of Deft. Caraway for Extension of Time within which to respond to Intervening Pltfs' Mtn. for S/J against Caraway, filed. jj O to J	
3-11-74	Order granting deft. Caraway additional time within which to respond to interven ing pltfs' motion for S/J against Robert Caraway, filed, granting Caraway an additional 20 days to file response. (AEB-J)hm (copies mailed)	
10-4-74	MO/ Ordered by the Court Based on the letter dated 10-2-74, from G. Michael Lewis, attorney for Robert J. Caraway, Wherein it is acknowledged that the motion for Summary Judgment filed by Leslie McCown & Chester F. & Phyllis Lenik, Intervening plaintiffs, on behalf of themselves and others similarly situated, has been conceded by Robert J. Caraway, IT IS THEREFORE ORDERED that the Motion for Summary Judgment be and the same is hereby sustained. (AEB-J)b (ltr. written)	
11-4-74	MOTION of defts. Warren L. Alberty and Margueretta J. Alberty, to Proceed with Foreclosure and request that case be set for hearing to determine priorities of all mtgs. etc., filed. (jj	
	MO: It is Order by the Court that pltf. is granted 10 days in which to respond to Motion to Proceed with Foreclosure. (AEB-J)jj	
12-13-74	MO: It is ordered by the Court that parties hold a pretrial conference on or before 1-24-75 & file a PT Order on or before 1-31-75. (AEB-J)k copies sent by certified mail.	
12-18-74	APPLICATION of Roger R. Scott to withdraw as counsel, with ORDER that Roger R. Scott be permitted to withdraw attached, filed. lm	
1-13-75	Deft. Charles Vance's interrog. and request for admissions, filed. k	
1-21-75	Answer and reply of C harles A. & Phyllis N. Vance to claim of Intervenor, filed. g	
1-23-75	Appl. of Rbt. A. Franden, Trustee for Timberlake and Heidler, for permission to file his answers out of time, filed. v -o on ans., all to Judge.	
1-28-75	Answer of deft. Timberlake, Inc., filed with leave of Court. (AEB-J)g	
1-28-75	Answer of deft. Heidler Corporation, filed with leave of Court. (AEB-J)g	
1-28-75	Application for extension of time within which to submit agreed pre-trial order, filed. ds	
1-28-75	Application of intervenors for extension of time within which to answer interrogatories and request for admissions, filed. ds	

DATE	PROCEEDINGS	Date Order or Judgment Note
1-29-75	ORDER, filed, granting parties until 2-20-75 to submit P/T Order. (AEB-J)lm cps mld.	
1-29-75	ORDER, filed, granting Leslie McCown and Chester F. and Phyllis Lenik an additional 30 days to respond to interrogatories and request for admissions served by Charles Vance. (AEB-J)lm cps mld.	
2-18-75	MO: Ordered by the Court that Defts' Chas. A. & Phyllis Vance's applic. for restraining order is stricken as moot.(AEB-J)b ltr mld.	
2-26-75	Order, filed, that the motion to proceed w/ foreclosure filed by Warren L. & Margueretta J. Alberty on 11-4-74 is hereby overruled. (AEB-J)k cps mld	
3-7-75	Appl. for ext. of time within which to ans. written interrogs.,, fld. by Intervenor. v (o)	
3-12-75	Order, filed, granting 30 days to respond to Interrogatories to Leslie McCown and Chester and Phyllis Lenik (AEB-J)jj copies mailed.	
3-18-75	MO: Case set for disposition on 4-29-75 at 10:00 a.m. for failure to file pretrial Order (due 2-20-75). (AEB-J)k cps by cert ml	
3-24-75	Proposed PreTrial Order, filed.jj	
4-7-75	Notice to take depositions of Leslie W. McCown on 4-10-75, filed. g	
4-7-75	Notice of taking depositions of Chas. Andrew Vance, filed. v	
4-14-75	Applic. of deft. Heidler for permission to file answer out of time, filed. hm O to J to cr-compls.	
4-15-75	Order, filed, granting Jim Heidler permission to file answer/out of time. (AEB-J)g	
4-18-75	Answer of Deft. James Heidler to Vance Cross-Complaint filed 2-3-72 & the Vance Amended Cross-Compl. filed 6-5-73, filed. v	
4-29-75	Case called for disposition for failure to file pre-trial order Statements made. Parties ordered to file PTO in 10 days. Conference to be held on 5-8-75, at 10:00 A.M. To prepare papers re sale of property. Stipulations & agreements to be filed also.(AEB-J)b	
5-2-75	REPLY of defts. and cr-pet'rs. Chas. A. and Phyllis N. Vance to ans. of deft James W. Heidler, filed. lm	
5-8-75	Journal entry of Judgment, filed & entered: that Atlas Life Ins. Co. recover from Warren J. Alberty and Marguerette J. Alberty the sum of \$77,252.69, with int. at 10% per annum until paid, costs of this action and attorneys fees in an amt. to be hereafter set by the Court; that Warren L. Alberty and Marguerette J. Alberty have and recover from Charles Andrew Vance and Phyllis N. Vance the sum of \$71,447.80, with int. at 10% per annum until paid, their costs of this action, and attorney fees in an amt. to be hereafter set by the Court; that Warren L. Alberty and Marguerette J. Alberty have	

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D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order or Judgment Noted
	a judgment over against Charles Andrew Vance and Phyllis N. Vance on the judgment hereinabove granted against them in favor of the Atlas Life Ins. Co.; that the mortgage held by Atlas Life Ins. Co. be foreclosed immediately upon failure of Warren L. Alberty and Marguerette J. Alberty and Charles Andrew Vance and Phyllis N. Vance to satisfy said judgment, the U. S. Marshal shall levy upon the described real estate. (AEB-J)g	
5-9-75	<u>Pre-Trial Order</u> , filed. (AEB-J)rm <i>o nunc pro tunc from follows to 9.</i>	
5-13-75	Amended Answer of Defts Timberlake, Inc. & Heidler Corporation, filed. b	
5-15-75	Order Nunc Pro Tunc, filed, that PT Order entered 5-8-75 is corrected on pg. 4, line 8, to read \$49.0668 per day and all other respects- of PT Order should remain the same. (AEB-J)jj <i>copy mailed</i>	
5-12-75	Stipulation between Charles Andrew Vance and Phyllis N. Vance & Intervening Plf. Class of Timberlake Lot Purchases, filed.(AEB-J)mm cps mld	
5-16-75	Journal Entry of Judgment that the defendants, cross-petitioners Vance have & recover judgment against Heidler Corp and Timberlake, Inc., in the amount of \$51,598.17, filed. (AEB-J) mm cps mld	
5-22-75	STIPULATION for entry of order nunc pro tunc, filed. 1m <i>atty fees etc?</i>	
5-22-75	Order Nunc Pro Tunc Correcting Journal entry of Judgment, filed & entered, that the residue from proceeds of said sale of property to be paid into Court to abide the further Order of the Court.(AEB-J)b cps mld.	
5-22-75	Order appointing appraisers, E. R. Albert, Jr., Chairman; James Goodpaster and Warren G. Morris, filed.(AEB-J)b cps mld	
5-30-75	Appl. of Atlas Life Ins. for hearing to set attys' fees, filed. g	
6-2-75	MO: Upon the disqualification of Chief Judge Allen E. Barrow, this case is hereby transferred to Hon. H. Dale Cook. (AEB-J)g	
6-3-75	Order, filed, setting hearing on allowance of atty. fees for Atlas Life, Warren L. Alberty and Marguerette J. Alberty at 9:00 a.m. on 6-18-75. (HDC-J)g mailed.	
6-5-75	Application for Hearing to Set Attorney's Fees by the defendant and Cross-petitioners, Charles A. Vance and Phyllis N. Vance, filed. mm <i>copy</i>	
6-5-75	Order, filed, setting hearing on allowance of attys' fees for Charles A. Vance and Phyllis N. Vance on 6-18-75 at 9:00 a.m. (HDC-J)hm (copies mailed)	
6-5-75	Appraiser's Oath & Return Oath of Appraisers, filed. mm	
6-6-75	Notice of proposed Compromise, filed, setting hearing on proposed stipulation and compromise at 11:00 a.m. 7-2-75 and directing any objections to be filed by 6-27-75. (HDC-J)hm (copy mailed Dorwart)	

DATE	PROCEEDINGS	Date Order or Judgment Note
6-10-75	Affidavit of Mailing, filed by Fred Dorwart re the mailing of a "Notice of proposed compromise" and "Proof of Claim". v	
6-18-75	Case called for hearing on allowance of attys' fees for Atlas Life Ins. Co. & Warren L. Alberty & Marguerette J. Alberty; and on allowance of attys' fees for Charles A. Vance & Phyllis N. Vance. Statements made. Over no objections from atty. for Trustee, Court approves attys' fees for Atlas Life & Albertys, and for Vances. Stipulations as to attorneys fees, supplemental order, and order awarding attys' fees for Vances, filed in open court. (HDC-J)hm	
6-18-75	Stipulation as to attorneys fees, filed in open court. hm	
6-18-75	Supplemental order, filed and entered, that Atlas Life Ins. Co. is granted judgment against Warren L. & Marguerette J. Alberty in the sum of \$8,704.54 as & for attys' fees; that Warren L. Alberty & Marguerette J. Alberty are granted judgment against Charles Andrew Vance and Phyllis N. Vance in the sum of \$5,312.50 for attys' fees; that foregoing judgment supplement & be made a part of the JE of judgment entered herein on 5-8-75, as corrected by the Order Nunc Pro Tunc correcting JE of judgment entered on 5-22-75. (HDC-J)hm(copies to Lewis)	
6-18-75	Order, filed, that defts, cross-petitioners Charles A. Vance and Phyllis N. Vance be awarded an atty's fee in the sum of \$18,737.29, as part of their judgment. (HDC-J)hm (copies mailed)	
6-25-75	Order, filed, appointing Leo F. Haas, Jr. as Special Master and directing the sale of real property subject to the conditions set forth herein. (HDC-J)k	copied by cover
6-30-75	Special Master's Oath, filed. mm	
7-1-75	Applic. for order nunc pro tunc correcting legal description, filed. hm	
7-1-75	Order nunc pro tunc correcting legal description, filed. (HDC-J)hm (copies mailed by Mr. Lewis)	
7-1-75	Notice of sale, filed. hm	
7-2-75	Case called for hearing on proposed stipulation and compromise. Parties represented. Statements made by Mr. Dorwart. There having been no objections filed to proposed compromise and no oral objections given, the Court approves said compromise. Order signed and filed in open court. (HDC-J)hm	
7-2-75	Order approving compromise of claim of intervening pltf. class against Vances, filed in open court. (HDC-J)hm (copies mailed)	
7-21-75	Appraisal of Timberlake-Heidler Property, filed. jj	
7-24-75	Class representatives' report in respect of notice & filing of claims, filed Leslie W. McCown, Chester F. and Phyllis Lenik. v	
7-29-75	MO: Case set for hearing on private sale of property 7-31-75 at 10:00 a.m. (HDC-J)hm	
7-30-75	Report of Special Master on Offers for Private Sale and Notice of Hearing, filed. mm	
7-31-75	Hearing held on private sale of property. Parties present and represented. Mr. Lewis provides Court with Priority of Claims Data and Costs of Sale, which is filed in open court. Statements made by Mr. Sturdivant, atty. for Trustee, who makes objections to approval of	

D. C. 110A Rev. Civil Docket Continuation

Sheet #5

DATE

PROCEEDINGS

Date Order or
Judgment Noted

private offers. Statements made by Mr. Daniel, atty. for pltf., who also objects to acceptance of private offers & moves to proceed with public sale. Statements made by Mr. Dorwart, atty. for intervening class, who moves for Court to accept \$600,000 offer, or in alternative, the \$550,000 offer. Statements made by Mr. Larkin Bailey, atty. for group making \$500,000 offer & by Mr. Crowe, atty. for L. C. Neal. Court orders public sale to go forward on 8-1-75, as scheduled, and states alternative offer of \$550,000 to remain in effect until 5:00 p.m. August 8, 1975. Hearing continued until August 8, 1975, at 9:00 a.m. (HDC-J)hm

8-1-75 Proof of Publication of Ted Risenhoover, Star-Citizen for 7-5-75, 7-12-75, 7-19-75 and 7-26-75, filed W/fees of \$401.88.mm

8-1-75 Proof of Publication of Roger Foil of Pryor Daily Times for 7-3, 7-10, 7-17, & 7-24-75, filed W/fees of \$346.63.mm

8-1-75 Proof of Publication of Tilman Pool, Jr. of Tulsa Daily Legal News, filed. (\$534.50) rm

8-1-75 Special Master's return of sale, filed. rm

8-1-75 Application of def. & cross-pltf., Atlas Life, for confirmation of sale, filed. rm

8-1-75 MO: Case set for Confirmation of sale 8-8-75 at 9:00 A.M. (HDC-J)hm

8-7-75 Trustee's, Robert A. Franden, Statement of Expenses & Preservation of Property totaling \$14,360.80, filed. mm

8-8-75 Case called for hearing on confirmation of sale. Parties represented. Statements made by James Sturdivant, Fred Dorwart and Michael Lewis. Mr. Dorwart recommends the approval of the private offer. Mr. Follens recommends the acceptance of the public offer of \$525,000. Mr. Sid Dunagan makes appearance for prospective buyer who offers to buy land at 10% above private offer, or \$605,000, subject to same conditions on the title. Mr. Dorwart recommends acceptance of new offer. Court directs a written statement of offer to be filed and takes ruling under advisement. Hearing continued to 3:00 p.m. 8-8-75. (HDC-J)hm

3:00 P.M. Court convened. Parties represented. Mr. Dunagan presents to Court written offer of N. L. Swinson, w/attached check in amt. of \$60,500 (10% of offer). Statements made by Mr. Chambers, Mr. Dorwart, Mr. Crowe, who states Mr. Neel increases offer to \$615,000. Court orders acceptance of private offer of \$615,000, subject to notice and confirmation. Hearing on confirmation set 8-26-75 at 1:30 p.m. Notice to be given as previously published & in Tulsa Tribune & Tulsa World. Court finds Appraisal as filed with Court recent enough to reflect the proper value. Mr. Neel's deposit of \$55,000 to be returned by Clerk. Order to be prepared. Mr. Swinson's tender of \$60,500 returned to Mr. Dunagan. (HDC-J)hm

8-8-75 L. C. Neel (Purchaser) Amendment to Alternate Offer to Purchase Real Estate at Private Sale, filed. mm

8-11-75 Order, filed, directing Clerk to repay L. C. Neel the sum of \$52,500 deposited w/Ct. in connection with bid on Timberlake. (HDC-J)rm

(OVER)

DATE	PROCEEDINGS	Date Order or Judgment Note
8-12-75	Order, filed, that bid of Neel is rejected, w/deposit of \$52,500 to be returned to Mr. Neel; that property be sold at private sale; and that Special Master give notice.(HDC-J)rm	
8-12-75	Notice of sale of Timberlake, filed, setting hearing on confirmation of sale for 1:30 p.m., 8/26/75.(HDC-J)rm	
8-25-75	Special Master's Report on Publication of Notice of Sale, filed. v	
8-26-75	Representative intervening pltf's' applic. for approval of certain late filed claims, filed. hm	
8-26-75	MO: Case called for hearing on confirmation of sale. Parties represented. Statements made. Mr. Crowe announces that there are delinquent taxes on property. Mr. Hawley Kerr makes private offer of \$680,000 for Larkin Bailey under same conditions of previous private offer, and tenders deposit in amt. of \$27,500. Mr. Crowe increases offer of Mr. Neal to \$685,000. Mr. Bailey increases bid to \$690,000. Mr. Neal offers \$692,500. Mr. Bailey offers \$700,000. Mr. Neal offers \$705,000. Mr. Bailey offers \$710,000. Mr. Neal offers \$712,500. Mr. Neal to submit letter of credit for amt. bid, less \$25,000 on deposit with Clerk. Court accepts new offer of \$712,500. Mr. Kerr given permission to withdraw cashier's checks. Court directs publication be made. Hearing on confirmation set 9-12-75 at 11:00 a.m. (HDC-J)hm	
9-2-75	Order, filed, directing that real property herein be sold at private sale to L. C. Neel for \$712,500 on terms & conditions set out in Offer to Purchase dated 7-29-75; Special Master to give notice of hearing on confirmation, etc. (HDC-J)g	
9-2-75	Notice of Sale, filed; hearing for confirmation set for 11 a.m., 9-12-75 in Ctrm. #2. (HDC-J)g	
9-4-75	Appl. of Leslie McCown & Leniks for judg. in accordance with pre-trial order, filed. rm	
9-8-75	Special Master's report on publication of notice of sale, with affidavits and proofs of publication attached. (The Star Citizen - \$117.95; Pryor Jeffersonian - \$118.60; Tulsa Tribune - \$115.45; Tulsa World - \$117.25) rm	
9-9-75	Appl. of Cross-Petitioners Charles Andrew Vance & Phyllis N. Vance requesting the Court to enter judgment in accordance with the PT Order entered on 5-8-75 & the compromise settlement of 7-2-75, filed. mm	
9-12-75	Case called for hearing on confirmation of sale, application for approval of certain late filed claims and applications for judgment in accordance with PT order. Mr. Lewis announces proper notice & publication has been made. Mr. Kerr. atty. for Larkin Bailey, requests continuance of hearing on conf. of sale. Objections made by Mr. Dorwart & Mr. Sturdivant. Court denies request for continuance. There being no further private bids, Court confirms bid of \$712,500 of Mr. Neel. Mr. Larkin Bailey objects to confirmation. Mr. Sturdivant announces taxes have been paid. Applic. for entry of judgment of pltf. Robert J. Caraway, filed in open court. Applic. to withdraw as counsel for Caraway, filed in open court. Court withholds ruling on said applications. Notice to be given pltf. & Court directs he respond to applic. to withdraw by 9-19-75. JE of judgment as to Vances, signed and filed in open court, over no objections. Applic. for approval of late filed claims sustained, over objections from Mr. Lewis as to	

Sheet #6

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
9-12-75		the acceptance of the last five claims. Court approves entry of judgment as to intervening class. (HDC-J)hm	
9-12-75		Journal entry of judgment, filed and entered, that Charles A. Vance and Phyllis N. Vance recover judgment from defts. Timberlake, Inc., Heidler Corp & James W. Heidler the sum of \$230,717.01 with int. to 1-31-75 & int. accruing thereafter at rate of \$49.0668 per day, etc. (HDC-J)hm	
9-12-75		Judgment, filed and entered, approving proofs of claims & late filed claims & directing Clerk to accept for filing the claims listed in the applic. for approval of certain late filed claims; intervening pltf. class is entitled to atty's fees & costs in amt. of \$15,441.31; intervening class have & recover from Heidler Corp. & Timberlake, Inc. the sum of \$147,026.21, with int. at rate of 10% per annum from 1-24-72, plus atty's fees & costs in amt. of \$15,441.31. (HDC-J)hm	
9-12-75		Applic. of Sam P. Daniel, Jr. to withdraw as counsel for plaintiff, filed. hm	
9-12-75		Applic. for entry of judgment of pltf. Robert J. Caraway, filed. hm	
9-16-75		Appl. of Doerner, Stuart, on behalf of Special Master, filed, with <u>Order</u> directing Clerk of Court to release this file to Smith Bros. Abstract & Title Co. for purpose of preparing abstract of proceedings herein. (HDC-J)rm - all copies to Mike Lewis	
9-30-75		Response on Behalf of Pltf., Robert J. Caraway to Application of Sam Daniel to withdraw as his Attorney, Waiver of Objection to Attorney's Fees, & to the Proposed Judgment for Pltf. in the form heretofore submitted to the Court, filed. mm (Letter to Bob Caraway from Larkin Bailey attached.)	
10-3-75	MO:	Case set for hearing on applic. of Sam P. Daniel, Jr., to withdraw as counsel for pltf; and applic. for entry of judgment of pltf. on 11-3-75 at 1:30 p.m. (HDC-J)hm	
10-29		Application of Frederic Dorwart, Atty for Leslie McCown and Chester F. and Phyllis Lenik, for allowance of Legal fees and disbursements, filed. lm <i>oag w/ no obj</i>	
10-29		Memo. of Law in Support of Appli. of Frederic Dorwart, Atty for Leslie McCown and Chester F. and Phyllis Lenik, for allowance of legal fees and disbursements, filed. lm	
10-31		Order, filed, setting Dorwart's application for allowance of legal fees and disbursements for hearing at 1:30 P.M. on 11-25-75; and directing that Notice (as attached to order) be given to members of the Class who have filed claims. (HDC-J)g	
11-3	MO:	Case reset for hearing on applic. of Sam P. Daniel, Jr., to withdraw as counsel for pltf; and applic. for entry of judgment of pltf. on 11-11-75 at 10:30 a.m. (HDC-J)hm	
11-5		Affidavit of Frederic Dorwart of Mailing Notice of Hrg. on Appl. for Legal Fees & Disbursements to claimants, filed.k	
11-6		Appli. of Ethel Newburn to file claim out of time, filed. lm <i>all</i>	
11-11	MO:	Case called for hearing on applic. of Sam P. Daniel to withdraw and applic. for entry of judgment for pltf. Parties represented. Over no objections, Court approves order of withdrawal of Sam P. Daniel as atty. for pltf.; the firm of Ungerman, Ungerman & Grabel to	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
1975		represent pltf. Court approves entry of judgment for pltf. over no objections being offered. Application for permission to file claim out of time set for hearing 11-25-75 at 1:30 p.m. (HDC-J)hm	
11-11		Order allowing withdrawal of atty. for pltf. and setting atty fees, allowing withdrawal of Sam P. Daniel & firm of Doerner, Stuart, Saunders, Daniel & Langenkamp as atty. for pltf. & awarding Sam P. Daniel, Jr. the sum of \$6,300.00 atty. fees & \$357.82 costs & is granted a lien on any proceeds payable to pltf. in amt. of \$6,157.82 (\$500 having heretofore been paid to said atty. by pltf.) (HDC-J)hm (copies mailed)	
11-11		Journal entry of judgment for pltf, filed and entered, that pltf. recover from Timberlake, Inc. & Heidler Corporation the sum of \$310,062.50, plus int. from & after 9-1-75 at rate of \$62.50 per day until paid, attys fees in amt. of \$6,300 & costs of \$20.00. (HDC-J)hm (copies mailed)	
11-13		Motion for S/J of defts & cross-petitioners, Charles A. & Phyllis N. Vance, w/statement of fact, filed. hm	
11-13	MO:	Ordered that deft. Heidler Corp. file responsive brief within 10 days to motion for S/J of Vances. (HDC-J)hm	
11-25	MO:	Case called for hearing on applic. of Frederic Dorwart for allowance of atty. fees and for permission to file claim out of time. Parties represented. Statements made. Court orders claim to be filed and considered. Order signed in open court. There being no objections to applic. for atty. fees & disbursements, Court awards Mr. Dorwart \$69,579.80 as atty. fees and \$7,181.20 as reimbursement for expenses. Order signed in open Court. (HDC-J)hm	
11-25		Order, filed, allowing Fred Dorwart \$69,579.80 as an atty's fee, and \$7,181.20 as reimbursement of advances. (HDC-J)hm (copies mailed)	
11-25		Order, filed, that Ethel Newburn is permitted to file her claim out of time and Clerk directed to accept claim for filing. (HDC-J)hm	
12-11		Journal entry of judgment, filed and entered, that defts., cross-petitioners Charles A. Vance and Phyllis N. Vance recover judgment against deft. James W. Heidler individually the sum of \$230,717.01 with int. at rate of \$49.0668 per day from 3-31-75 & an atty's fee in sum of \$18,737.29; and that the same Vances have judgment against deft. James W. Heidler individually for breach of contract of sale in sum of \$151,598.17 with int. at rate of 10% per annum. (HDC-J)hm (copies mailed Follens & Rizley)	
12-29	--	Order confirming sale, filed. (HDC-J)v -cpy to G. Michael Lewis for distribution	
1976			
1-23		Appl. of Leo F. Haas, Jr., Special Master, for order to prove claims, filed. ph cps mld by atty.	
1-23		Order to prove claims, filed. All parties to file claims not later than 1-30-76. Matters set for hearing on objections on 2-4-76 at 1:30 p.m. (HDC-J)ph cps mld by atty.	

CIVIL DOCKET CONTINUATION SHEET

Sheet #7

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
1-27-76		Amendment to order to prove claims, filed, directing that all proofs of claim shall be filed by 2-17-76 instead of 1-30-76. (HDC-J)hm	
2-3-76		Pltf's. Obj. to Appli. of James M. Sturdivant for Atty's Fees, filed. t	
2-3-76		Pltf's. Obj. to the Appl. of Robert A. Franden, Trustee in Bankruptcy for compensation, filed. t	
2-4	MO:	Hearing held on proof of claims and objections thereto. Parties represented. Mr. Sturdivant requests permission to amend claim of Trustee & amended claim allowed in amt. of \$780.30, in addition to amt. already claimed. All claims not objected to are approved by the Court. Statements made on claims & objections thereto of Trustee & Trustee's counsel. Court approves payment of expenses of Trustee & Trustee's atty. & also approves fees asked for by both. Court approves fees to appraisers & for property taxes for 1975. Mr. Kerr to advise Court re applic. for sale of real property. Mr. Lewis to prepare order of distribution. Mr. Dorwart to file an accounting list showing members of class paid. (HDC-J)hm	
2-10		Pltf's app. for order of sale of real property, filed. ph	
2-10		Order, filed, setting hearing on appl. for order of sale of real property for 2-24-76 at 1:00 p.m. (HDC-J)ph cps mld	
2-13		Order of distribution, filed, directing purchaser to distribute funds as set out in order and Clerk directed to return to purchaser, L. C. Neel, the amt. of \$25,000 on or after 2-17-76. (HDC-J)hm (copies mailed parties by M. Lewis)	
2-17		Certification of payment of L. C. Neel, filed. ph	
2-17		Assignment of Judgment by Robert J. Caraway to Larkin Bailey, filed. ph	
2-17		Order substituting Larkin Bailey, Assignee as Plaintiff for Robert J. Caraway, filed. (HDC-J)ph cps mld	
2-18		Report of Distribution to Intervening Class of Timberlake Lot Purchasers, filed. t	
2-20		Sub. Pltf's Adoption and Joinder in Pltf's Appl. for Order of Sale, filed. jj	
2-23		Supplemental report of distribution, filed. rm	
2-24	MO:	Hearing held on applic. for order of sale of real property. Pltf. represented; defts. not represented. Statements made by Mr. Kerr. Upon Mr. Kerr's request, and no objections being offered, Court approves and signs Order directing sale of real property and appointing special master to conduct such sale. (HDC-J)hm	
2-24		Order directing sale of real property and appointing special master to conduct such sale, filed in open court, appointing Loyal Roach of Tahlequah as special master to serve without bond & directing publication to issue. (HDC-J)hm (copies mailed by Mr. Kerr)	
3-5	--	Oath of Special Master, filed. v	
4-7		Special master's return of sale, filed, w/proof of publication. hm	
4-7		Applic. of pltf. for confirmation of sale, filed. hm	
4-8		Order setting for hearing Pltf's appl. for confirmation of sale at 10:00 a.m. on 4-29-76, filed. ph cps mld	

PLAINTIFF		DEFENDANT	DOCKET NO. <u>72-C-19</u> XXXXXXXXXXXXXXXXXXXX
Larkin Bailey		Timberlake, Inc., et al	
DATE	NR.	PROCEEDINGS	
4-29		Hearing on confirmation of sale held. No defts. present or represented. Statements made by Hawley Kerr, atty for pltf. No objections being made to sale & proper notice having been given, Ct. approves order confirming sale. Order signed and filed in open Court. (HDC-J)ph	
4-29		Order confirming sale filed and entered. (HDC-J)ph cps mld	
11-3-78		Release and satisfaction of judgement by Warren L. Alberty & Marguerette J. Alberty as to Charles Andrew Vance & Phyllis N. Vance, fld.ra	
<u>1983</u> 1-6	--	PARTIAL RELEASE of pltfs Leslie W. McCown & Chester F. and Phyllis Lenik, Judgment Creditors, AND SATISFACTION of judgment & disclaimer bv	
1-7	---	CERTIFICATE of svc of above partial release of judgment.a	